IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application

Inventor(s): James F. Zucherman, et al.

Appl. No.: 10/685,134

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Title: TOOLS FOR IMPLANTING AN ARTIFICIAL

VERTEBRAL DISK AND METHOD

PATENT APPLICATION

Art Unit: 3733

Examiner: Mary C. Hoffman

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(Signature)

CERTIFICATE OF FACSIMILE TRANSMISSION UNDER 37 C.F.R. § 1.8 I hereby certify that this correspondence is being transmitted by facsimile to the Commissioner for Patents, the United States Patent and Trademark Office, Facsimile No. (571) 273-8300, on the date shown below.

Mathew Otts

Signature Date: November 8, 2006

REPLY TO OFFICE ACTION

Mail Stop Amendment Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

This REPLY is in response to the Office Action dated October 20, 2006, in the above-captioned application.

Remarks begin on page 2 of this paper.